(60)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S) No.4405/2007

PETITIONER		Rajkumar Khati, aged about 43 years, son of Shri Lunaramji Khati, occupation – Nutrition Inspector-Woman and Child Development and Social Welfare Department, Resident of working Women Hostel, Durg, District Durg (C.G.)
		Versus
RESPONDENTS	1.	State of Chattisgarh, through the Deputy Secretary, Department of Women and Child Development and Social Welfare, Dau Kalyan Singh Bhawan, Raipur (C.G.)
	2.	Commissioner, Women and Child Development Deptt., Raipur, office at Near Dau Kalyan Singh Bhawan, Shastri Chowk, Raipur (C.G.)
	3.	The Joint Director, Women and Child Development Deptt., Raipur, office at Near Dau Kalyan Singh Bhawan, Shastri Chowk, Raipur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Appearance:

Shri Abhay Tiwari, Counsel for the petitioner.

Shri Ajay Dwivedi, Panel Lawyer for the respondents on advance copy.

ORAL ORDER
(01.08.2007)

SUNIL KUMAR SINHA, J.

Heard.

The petitioner, who is working on the post of Nutrition Inspector, *Mahila Evam Bal Vikas Vibhag*, Durg, has been transferred from Durg to Ambikapur on administrative grounds. The order of transfer dated 29/6/2007 has been filed as Annexure P-1. Referring to many documents, learned counsel

for the petitioner submits that the appointment of the petitioner was made in sports quota and he is a Weight Lifter and has represented the State in many National Level Sports Meets. His submission is that for the daily practice of the petitioner, a well equipped Jim is required, which is not available at Ambikapur, therefore, the case of the petitioner may be considered and the order of transfer be cancelled.

After considering the facts and circumstances of this case, after hearing arguments of both the parties and especially considering the sports career of the petitioner, I am of the opinion that the ends of justice would be served if a direction is given to the petitioner to file a fresh representation before the concerned authority and the authority may be directed to consider the same at the earliest.

This petition is disposed of with a direction to the petitioner that if so advised, he may file a detailed representation before the concerned authority (though a representation has been filed on 7/7/2007) within 15 days from today alongwith a copy of this order and a copy of the writ petition and if such a representation is filed, the same shall be disposed of at the earliest by the concerned authority.

With the aforesaid observations, the petition stands disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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